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GROUP 3600

Application: 09/536,727
Filing Date: 3/28/2000
Examiner: Yehdega Retta
Art Unit: 3622

Dear Examiner Retta:

In response to the Office communication of 04/08/2002, I hereby cancel Claim 1 and submit new Claims 2 and 3 attached.

In these claims, I simplified cancelled Claim 1. In so doing, I followed the lead of Examiner James R. Mathews (supervised by Eric Stamber) in his International Preliminary Examination Report of the PCT Application (PCT/US00/18715). This PCT application was based on the above-referenced U.S. application. Examiner Mathews' Report is quoted in full below and is attached.

Claim 1 meets the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest associating an expected value (EV) payment, and a corresponding payoff, with the recipients; selecting at least one of the recipients at random, with the probability being set at EV/Payoff; determining whether the selected at least one recipient satisfies at least one condition and based on a positive determination, providing the Payoff to the selected one of the recipients.

Claims 2 and 3 essentially recapitulate Examiner Mathews' summary of the novelty of the invention. I added a reference in the first paragraph to "paying for attention to a message" because that is the object of the invention.

Regarding your Office communication of 04/08/2002, I have answered the objection of claiming both a method and apparatus by claiming the method and system separately.

You requested a Drawing but the claim is now simple enough that a drawing may not be necessary. I seek your guidance in this matter.

As you have not yet provided prior art citations, I will seek an appointment by phone after receiving the next Office communication.

I am also enclosing the \$5 surcharge for responding two weeks after the 3-month limit. Please call me if you have any questions. My mobile (602)-295-4967 is usually best.

Sincerely,

Michael T. Rossides